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05 UNITED STATES DISTRICT COURT
06 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

07 CHRISTOPHER MISKELLY,) CASE NO. C09-1529-MJP
08 Plaintiff,)
09 v.) REPORT AND RECOMMENDATION
10 SUPERIOR COURT OF WASHINGTON)
FOR SNOHOMISH COUNTY, et al.,)
11 Defendants.)
12 _____)

13 Plaintiff Christopher Miskelly filed a motion to proceed *in forma pauperis* (IFP) and a
14 proposed 42 U.S.C. § 1983 complaint. (Dkt. 1.) However, he failed to submit the proper IFP
15 form and a certified copy of his prison trust account statement showing transactions for the past
16 six months.

17 The Clerk sent plaintiff a letter dated October 28, 2009 outlining the deficiencies in his
18 IFP application. (Dkt. 3.) The Clerk advised plaintiff that failure to correct the deficiencies
19 on or before November 30, 2009 could result in dismissal of his case. To date, plaintiff has
20 neither supplemented his application to proceed IFP, nor paid the filing fee. Accordingly, the
21 Court finds dismissal of this case without prejudice appropriate.

22 In sum, the Court recommends that plaintiff's application to proceed IFP be denied and

01 this matter dismissed without prejudice. A proposed Order is attached to this Report and
02 Recommendation.

03 DATED this 15th day of December, 2009.

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06 Mary Alice Theiler
07 United States Magistrate Judge
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